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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/478,796 01/07/00 CHAGANTI

N PSCO-005

EXAMINER
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LM02/0418

BARRON, JR., G.
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ART UNIT

PAPER NUMBER

2767

DATE MAILED:

04/18/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>09/478,796</b>	Applicant(s) <b>Chaganti et al.</b>
	Examiner <b>Gilberto Barron Jr.</b>	Group Art Unit <b>2767</b>

Responsive to communication(s) filed on \_\_\_\_\_.

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) 6 is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-5 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-5, drawn to a method for automatically disbursing information belonging to a user to a requestor that is authorized by the user, classified in class 707, subclass 9.
  - II. Claim 6, drawn to a method of notifying changes or updates to a user's personal information to designated entities, classified in class 707, subclass 200.
2. The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and Group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention of Group II has separate utility such as updating information in a database that does not require authorization of a requestor. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

6. During a telephone conversation with Mr. Naren Chaganti on April 10, 2000 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-5. Affirmation of this election must be made by applicant in replying to this Office action. Claim 6 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

*Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al (5,241,466) in view of Smith (4,956,769).

The Perry patent discloses a central depository for personal information such as living wills and other associated information. The Perry patent discloses a establishing an account for the user with a server computer, see Figure 1, computer 10 and column 3, lines 46-64. The method of claim 1 is disclosed by the Perry patent as follows. The step of assigning an identifier is disclosed at column 5, line 2. The step of entering personal information is disclosed at column 4, lines 50-68. The step of storing in the database the customer file is disclosed at column 4, lines 10-18 and 67-68. The step of receiving a request message from a requestor is disclosed at column 8, lines 36-44. Retrieving from the database the information is disclosed at column 8, lines 58-66. Securely transmitting the information is disclosed at column 8, line 67 through column 9, line 7.

Claim 2, the step of requestor authorization and verification is disclosed at column 8, lines 45-52.

Claims 3, the step of step of requestor not authorized and rejected is disclosed at column 8, lines 54-57.

Claim 5 the step of recording every access to user's information is disclosed at column 7, lines 36-38

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However, the Perry patent does not disclose the step of claim 1 of assigning a security level to each information object nor the claim 4 step of designating the requestor as a junk requestor if a predetermined number of requests are not authorized.

The patent to Smith teaches a security protection system for a computer database wherein users are given security profiles and the data is stored with data fields for limiting the access to users of the information stored therein, see column 1, line 58 through column 2, line 10. The Smith patent also teaches a protection step of generating an alarm if a predetermined number unauthorized requests are detected, see column 6, lines 1-34.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the security system of the personal information database disclosed in Perry et al by providing for assigning security levels to the information objects and generating an alarm if a predetermined number of unauthorized attempts are made as taught in Smith in order to provide a computerized database with the security against unauthorized users attempting fraud, see Smith at column 1, lines 24-47.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wang et al (5,144,557) and Howell et al (5,276,901) are relevant to computer database security systems.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gilberto Barrón Jr. whose telephone number is (703) 305-1830. The

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examiner can normally be reached on Mondays thru Thursdays from 8:00 AM to 5:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Tod Swann, can be reached on (703) 308-7791. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-0040

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-3800/4700.

*Gilberto Barron Jr.*  
GILBERTO BARRON, JR.  
PRIMARY EXAMINER  
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